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No. 41

DISCHARGED ON EXAMINING TRIAL

Was Lester Phillips of Charge
of Murdering Estil St. Clair.

Was Arrested Last Friday and
Lodged in Jail With-
out Bond.

On last Friday morning without previous notice, Constable H. C. Acton, Dr. C. W. DeWeese and others rode into Hartford with Lester C. Phillips in charge. Inquiry revealed that he was charged with the murder of Estil St. Clair whose body was recently found in Rough River near Hartford. The charge was preferred by J. T. Wedding in the following affidavit:

County of Ohio, State of Kentucky. Affiant J. T. Wedding swears that he has reasonable grounds and can prove that Leslie Phillips has committed the offense of murdering Estil St. Clair by hitting him in the forehead with some hard substance and crushing his head and throwing said Estil St. Clair's body in Rough River and that said murder was committed on the first day of March, 1908, in Ohio county, Kentucky.

J. T. WEDDING.

Witness: H. C. Acton.

Subscribed and sworn to before me by J. T. Wedding this April 23rd, 1908.

W. S. DEAN, J. P. O. C.

The following warrant for young Phillips' arrest was issued by Esq. W. S. Dean before whom the affidavit was made:

The Commonwealth of Kentucky.

To any Sheriff, Constable, Valer, Coroner, Marshal or Policeman in this State, Greeting:

It appearing from the oath of J. T. Wedding that there are reasonable grounds for believing that Leslie Phillips, of Ohio county, State of Kentucky, has committed the offense of murdering Estil St. Clair. Committed in manner and form as follows, to-wit: The said Leslie Phillips did on the 1st day of March, 1908, in the county of Ohio and State of Kentucky, unlawfully and wilfully murder Estil St. Clair by hitting him in the forehead with some hard substance crushing St. Clair's head and afterwards throwing the body of the said Estil St. Clair in Rough River. Done as aforesaid and against the peace and dignity of the Commonwealth of Kentucky. This is, therefore to command you to forthwith arrest the said Leslie Phillips and take him before County Judge W. B. Taylor of Ohio county, forthwith and without bail to answer said charge and to be dealt with according to law.

Given under my hand as Justice of Peace of Ohio County, Kentucky, this the 23rd day of April, 1908.

W. S. DEAN, J. P. O. C.

The case was set for trial, Wednesday, of this week, and young Phillips was remanded to jail to await the trial. His father, Mr. F. F. Phillips, of Narrows, was notified, his son not being at home at the time of his arrest, and he came to Hartford, Saturday, April 26th, and arranged for the trial, Wednesday, and employed Barnett and Smith to represent his son.

The case was called for trial at 10 o'clock a. m., Wednesday, and after brief consultation, the Commonwealth, represented by County Attorney, E. M. Woodward and Judge R. R. Wedding, announced ready, whereupon the trial.

It was the theory of the prosecution that St. Clair was murdered for the purpose of robbery, hence the inquiry naturally turned to the question as to whether the deceased had any money at the time he was supposed to have been killed.

Denny St. Clair, a brother of the deceased was sworn as a witness and testified that his brother on leaving home to make the trip down the river stated that he intended to go from Evansville to some point in the west, and that his family was not expecting him back. He also said that his brother had some money when he left home.

Bud St. Clair, another brother, made practically the same statement, but was unable to give any definite idea as to whether his brother had any money when he left home.

Ira Funk, who was on the logs with young St. Clair, stated that he and St. Clair were discharged at Rumsey and that they came back to Livermore,

and from there went by way of railroad to Owensboro. He said that he never saw any money in St. Clair's possession, except \$11.50, which Mr. Williams paid him when he was discharged. He said that he and young St. Clair were together at Owensboro until 11 o'clock Saturday night, February 29 and that St. Clair left him in company with a light haired man that would weigh about 150 pounds, and that this was the last he had ever seen of St. Clair. This description was in direct contradiction to the make up of young Phillips, as he is small, will not weigh more than 135 pounds and is of dark complexion.

Tom Petty said that he lived at Dan Station and that he got on the train at Fordsville Sunday night, March 1st to return to his home. He said that young Phillips and St. Clair were on the train and that they were together a considerable part of the time until they reached Narrows. St. Clair told him that he was going to get off the train at Olaton, and that he was going to ride on the outside of the coach from Narrows, home in order to escape the payment of fare. Young Phillips told him that he was going to get off at Narrows.

John Bratcher identified a hat as being that of young St. Clair's, which was found on he railroad bridge across Rough creek, Monday morning March 2nd, or 9th, he was unable to state which.

Estil Funk left the logs at Livermore and knew nothing about the amount of money St. Clair had.

Mose Hudson told of finding the body.

Joe Bewley, a gentleman to whose house young Phillips went after leaving the train at Narrows, testified that Phillips reached his house within 30 minutes after the train passed Narrows. After the body of young St. Clair was found Phillips told him that he came up on the train with him from Owensboro, on Sunday night of March 1st, and that when he got off the train at Narrows, young St. Clair also stepped off and climbed back on what is known as the "blind baggage," stating that he had not enough money to pay his way to Olaton and that he intended to beat his way.

Lon Phillips, an uncle of the accused and William Park each told practically the same story as Bewley regarding young Phillips' statement about getting off the train at Narrows and St. Clair's getting back on. Their statements were straight forward and corresponded in every particular.

Carson Park knew nothing material to the case.

Dr. M. T. McDowell examined the body of young St. Clair and found a fracture in the left temple and a small hole in the skull. His examination would not enable him to state how the injury was inflicted.

Tom Barrett knew nothing important.

Cooper Harrison told the same story exactly as did Lon Phillips and William Park.

H. C. Acton told of arresting young Phillips, but knew nothing of importance.

Billy Renfrow had known young Phillips for seven or eight years, but knew no material facts about the case.

After producing this volume of evidence the Commonwealth rested its case having no further evidence to offer and on motion of attorneys for defendant, the court discharged him without any evidence from his side of the case.

This leaves young Phillips as free as before his arrest.

After he was discharged, his many friends who had come to hear the trial pressed forward and congratulated him upon his acquittal.

Sentiment was in young Phillips' favor from the start and his attorneys were offered kindly assistance from his many friends in and about Narrows.

The discharging of young Phillips leaves the St. Clair case in the same condition as it has heretofore been, except it practically establishes to the satisfaction of most of the people that he fell from the train while it was crossing the Narrows bridge and was thereby killed, his body falling in the river below.

Louisville Jockey Club.

For above occasion tickets will be sold to Louisville and return on May 4th, at one and one third fare plus 25 cents limit May 31st, for return. On May 4th, one fare plus 25 cents limit May 6th, for return.

On May 7-9-12-20-23-27 and 30 one and one third fare plus 25 cents limit two days from date of sale.

On May 15th, one and one third fare plus 25 cents limit May 18th.

J. E. WILLIAMS, Agent.

A HOT MESSAGE FROM ROOSEVELT

Stirs Up Trusts And Their
Heads in Beanville

Labor is Engaged in Production
Only and Should Not be Required
to Furnish Statistics

Washington, April 28.—President Roosevelt's special message with reference to legislation needed to control the trust of the country was read this morning. It created much comment because it is a warm document. The president speaks in his usual plain and unequivocal way and he has stirred up some of the trust aggregations of the country especially those in Boston, by his charges against them. The following is a brief portion of the message:

In my message to the congress of March 25, 1908, I outlined certain measures which I believe the majority of our countrymen desire to have enacted into law at this time. These measures do not represent by any means all that I would like to see done if I thought it possible but they do represent what I believe can now be done if an earnest effort toward this end is made.

"Since I wrote this message an employers liability law has been enacted which it is true comes short of what ought to have been done but which does represent a real advance.

"A strong effort has been made to have labor organizations completely exempted from any of the operations of this law whether or not their acts are in restraint of trade. Such exemption would in all probability make the bill unconstitutional and the legislature has no more right to pass a bill without regard to whether it is constitutional than the courts have lightly to declare unconstitutional a law which the legislature has solemnly enacted. The responsibility is as great on the one side as on the other and an abuse of power by the legislature in one direction is equally to be condemned with an abuse of power by the courts in the other direction. It is not possible wholly to except labor organizations from the working of this law, and they who insist upon totally excepting them are merely providing that their statute shall be kept wholly unchanged and that they shall continue to be exposed to the action which they now dread. Obviously, an organization not formed for profit should not be required to furnish statistics in any way as complete as those furnished by organizations for profit. Moreover, so far as labor is engaged in production only its claims to be exempted from the anti-trust law are sound. This would substantially cover the right of laborers to combine, to strike peaceably, and to enter into trade agreements with the employers. But when labor undertakes in a wrongful manner to prevent the distribution and sale of the products of labor, as by certain forms of the boycott it has left the field of production and its action may plainly be in restraint of interstate trade and must necessarily be subject to inquiry, exactly as in the case of any other combination for the same purpose so as to determine whether such action is contrary to sound public policy. The heartiest encouragement should be given to the wage-workers to form labor union and to enter into agreements with their employers; and their right to strike so long as they act peaceably must be preserved. But we should sanction neither a boycott nor a blacklist which would be illegal at common law.

The measures I advocate are in the interest both of decent corporations and of law-abiding labor unions. They are moreover preeminently in the interest of the public for in my judgment the American people have definitely made up their minds that the days of the reign of the great law-defying and law-evading corporations are over and that from this time on the mighty organizations of capital necessary for the transactions of business under modern conditions while encouraged so long as they act honestly and in the interest of the general public are to be subjected to careful supervision and regulation of a kind so effective as to insure their acting in the interest of the people as a whole.

Allegations are often made for the effect that there is no real need for

these laws looking to the more effective control of the great corporations upon the ground that they will do their work well without such control. I call your attention to the accompanying copy of a report just submitted by Mr. Nathan Matthews chairman of the finance commission to the mayor and city council of Boston relating to certain evil practices of various corporations which has been bidders for furnishing to the city iron and steel. This report shows that there have been extensive combinations formed among the various corporations which have business with the city of Boston including for instance a carefully planned combination embracing practically all the firms and corporations engaged in structural steel work in New England. This combination involved substantially all the local concerns and many of the largest corporations in the United States engaged in manufacturing or furnishing structural steel for use in any part of New England; it affected the States the cities and towns the railroads and streets railroads, and generally all persons having occasion to use iron or steel for any purpose in that section of the country. As regards the city of Boston the combination resulted in parceling out the work by collusive bids plainly dishonest and supported by false affirmations. In its conclusion the commission recommends as follows:

Comment on the moral meaning of these methods and transactions would seem superfluous; but as they were defended at the public hearing of the commission and asserted to be common and entirely proper incidents of business life and as these practices have been freely resorted to by some of the largest industrial corporations commission deems it proper to record its own opinion.

The commission dislikes to believe that these practices are as alleged established by the general custom of the business community, and this defense itself, if unchallenged, amounts to a grave accusation against the honesty of present business methods.

"To answer an invitation for public or private work by sending in what purports to be sanguine bids but what in reality are collusive figures purposely made higher than the bid which is known will be submitted by one of the supposed competitors is an act of plain dishonesty.

"To support these misrepresentations by false affirmations in writing that the bids are submitted in good faith, and without fraud, collusion, or connection with any other bidder, is a positive and deliberate fraud, the successful bidder in the competition is guilty of obtaining money by false pretenses; and the others have made themselves parties to a conspiracy clearly unlawful at the common law.

"Whereas, in the case of the 'Boston Agreement,' a number of the most important manufacturers and dealers in structural steel in this country, including the American Bridge company, one of the constituent members of the United States Steel corporations, have combined together for the purpose of raising prices by means of collusive bids and false representations, their conduct is not only repugnant to common honesty, but is plainly obnoxious to the Federal statute known as the Sherman or anti-trust law.

"The commission believes that an example should be made of these men, and that the members of the 'Boston Agreement,' or at least all those who, in October and November, 1905, entered in the fraudulent competitions for the Cove street draw span and the Brooklyn street bridge should be brought before a Federal grand jury for violation of the act of Congress of July 2, 1890. The three years' limitation for participation in these transactions has not yet elapsed, and the evidence obtained by the commission is so complete that there should be no difficulty in the government's securing a conviction in this case."

Old Hickory Church.

The deep interest the people of this community have in the work of the Lord is manifest in the rapidly growing Sunday School.

A singing school is also in progress conducted by Prof. Taylor. He is an excellent instructor and the class is advancing nicely.

The new organ just purchased, paid for and put in the church, speaks another word of commendation for the good people of this community.

Rev. T. C. Wilson filled his regular appointment here last Sunday and preached to a large audience of earnest hearers.

Rob Roy, Ky., April 28, 1908.

LARGELY ATTEND- ED CONVENTION

Held By Republicans at Court-
house Last Saturday.

Inorse Administration of Presi-
dent Roosevelt, Gov. Willson
And Election of Bradley.

The Republicans of Ohio county met in mass convention at the court house in Hartford Saturday April 25, 1908 for the purpose of selecting delegates to the congressional district Convention at Elizabethtown Tuesday May 5th, and to the State Convention at Louisville May 6th.

The meeting was called to order by chairman of the county executive committee, M. S. Ragland and the call read by county secretary Jas. M. DeWeese, after which nomination for permanent chairman was declared in order. Hon. Jas. A. Duff was placed in nomination in a well worded speech by Judge D. B. Rhoads. His nomination was seconded by Mr. John H. Thomas.

There being no further nomination the vote resulted in the unanimous choice of Dr. Duff who accepted the position in a splendid little speech of acceptance. The election of a secretary was then declared in order. Hon. E. M. Woodward placed C. E. Smith in nomination which nomination was seconded by Sheriff R. B. Martin. There being no further nomination the vote resulted in his unanimous choice.

On motion the chairman appointed R. B. Martin, C. M. Barnett, J. H. Thomas, M. S. Ragland and D. B. Rhoads as committee on resolutions.

During the absence of the committee the convention was entertained by splendid speeches by several gentlemen.

The committee reports as follows: We your committee on resolutions beg to submit the following report:

First, We approve of the call for this convention, and for the convention to be held for the fourth congressional district in Elizabethtown, May 5, and for the state convention to be held at Louisville, May 6, 1908.

Second, Be it resolved that we indorse the administration of President Roosevelt, and the great principles of the Republican Party which have been enacted into law and administered during his administration. The Republican Party in the nation has stood for the rights of the people in the past and will stand for those rights in the future, and in the future as in the past, it will stand for the protection of American labor and American industries and any re-arrangement or change it may make in the tariff will be made with this principle in mind.

Third, We congratulate the people of the State of Kentucky on the triumphant election of the Republican State ticket at the last November election. We indorse the administration of Governor Willson and pledge him and his associates our support in giving to the people a just, impartial, and business-like administration of the State's affairs.

Fourth, We congratulate the people of Kentucky and the nation upon the election to the U. S. Senate of that grand old chieftain of Republicanism in the South, Wm. O. Bradley. His election insures that once again in the highest deliberative body in the world, Kentucky will have a champion, an orator and statesman, who will reflect upon the State and her people the highest honor and credit.

Fifth, We denounce the late Democratic legislature for its failure to enact the County Unit Bill; its failure to permit the enactment of just and fair redistricting measures for the State; and for its failure to repeal the dog tax law, and for its extravagant and unprecedented appropriations, with no provision to pay in the face of a bankrupt treasury brought about by the former Democratic administration.

Sixth, Having faith and confidence in the ability of our fellow countryman Hon. M. L. Heavrin, who has shown himself at all times capable and worthy in every position of trust which he has held, we instruct our delegates, hereinafter named, to the congressional district convention, to vote for and to use all honorable means to secure his re-election as a member of the State

Central Committee from the fourth Congressional district.

Seventh, We recommend the following delegates and alternate delegates for both the congressional district, and state conventions and instruct them to vote as a unit upon all questions which may arise either in the state or district convention.

DELEGATES.

E. M. Woodward, S. L. Stevens, M. L. Heavrin, John A. Johnson, R. B. Martin, J. T. Allen, Rev. G. W. Drain, W. S. Tinsley, M. S. Ragland, C. E. Smith, W. S. Gaines, J. A. Duff, U. G. Ragland, R. R. Wedding, E. G. Barrass, E. P. Taylor, C. M. Barnett, Cary Burch, T. H. Benton, B. S. Chamberlain, T. H. Black, James M. DeWeese, John H. Thomas, R. R. Riley, Dr. Clarence DeWeese, S. A. Bratcher, T. Wade Stratton, David Moreland, C. C. Baird, Baker Rhoades, E. L. Dupuy.

ALTERNATE DELEGATES.

A. S. Bennett, Simon Jones, J. H. Williams, W. S. Dean, Lucien Kimmel, W. P. Miller, O. R. Tinsley, W. R. Edge, Dudley Morris, Herbert Render, Henry Leach, S. J. Wedding, Sherman Park, H. E. Brown, W. C. Ashley, Henry Woodburn, W. B. Taylor, J. C. Hill, Dr. L. D. F. Whittaker, E. C. Baird, D. B. Bartlett, C. T. Whittinghill, Wm. Fleener, C. C. Dennis, J. M. Shultz, Dr. Wm. Foreman, Lon Ralph, James Carter, Morris Taylor, L. H. Condit, Charlie Park.

R. B. MARTIN, J. H. THOMAS.

D. B. RHOADS, M. S. RAGLAND.

C. M. BARNETT.

On motion the resolutions were unanimously adopted, after which the convention adjourned.

J. A. DUFF, Ch'm'n.

C. E. SMITH, Sec'y.

Hartford, Ky., April 25, 1908.

LONG ITINERARY FOR FLEET ANNOUNCED

Squadron Goes to Philippines
China and Japan, Honolulu

To Auckland.

Washington, April 27.—A total of approximately 42,500 miles will have been covered by the Atlantic battleship fleet when it arrives at Hampton Roads on February 22 next according to an itinerary made public today for the voyage of the fleet from San Francisco to the Philippines thence to China and Japan and back to Manila in 16,218 miles.

The longest lap of this distance is that from Honolulu to Auckland 3,850 miles said by naval officials to be the greatest steaming distance ever made by a battleship fleet in the American navy without stopping for coal. This will require slightly over sixteen days. One of the colliers and two of the supply ships will stop at Samoa for coal and the battleship Illinois, which under ordinary circumstances cannot carry enough fuel to steam four thousand miles will store some coal in bags on deck and also take fuel in her fire room. Regular coal supplies will be taken abroad at the various stopping places when needed.

According to this itinerary the fleet will leave San Francisco July 7, arrive at Honolulu July 16, remain seven days; arrive at Auckland August 9 remain six days; arrive at Sydney August 20, remain seven days; arrive at Melbourne August 29, remain seven days; arrive at Albany, Australia (for coal) September 11, remain six days; arrive at Philippines October 1, remain nine days; arrive at Yokohama October 17, remain seven days. (At Yokohama the fleet will be divided, the first squadron going to Manila and scheduled to reach there October 31. The second squadron will go to Amoy, reaching there October 29, and after a stay of six days will go to Manila reaching there November, 7.

Has Not Yet Taken up Powers-Howard Record.

A Frankfort dispatch says: The Governor has a hard task ahead of him as he has not yet taken up the record in the Powers and Howard cases and he expects to read the full record before passing on the matter of pardons for the two men who are accused of complicity in the murder of William Goebel. It probably will be several weeks before the Governor acts on the applications for pardons. Much interest in these cases is being shown here in Frankfort and there are frequent discussions of the probable action of the Governor.